

FILED

MAR 27 2006

U.S. BANKRUPTCY COURT
MONTGOMERY, ALABAMA

In The U.S. Bankruptcy Court
Middle District of Alabama
In Re: ~~Bankruptcy Petition No. 05-31205~~
2006 MAR 23 PETITION NO. 05-31205

FRAUD HEARING REQUESTED
MONTGOMERY, ALA.

TO: Honorable Dwight H. Williams Jr.

Motion to Continue the Open Status of Case to Address Fraud FRCP 60 b-6
Involving American General Finance Company and Involving Bankruptcy Estate of
Pierce; and Motion to withdraw the request for dismissal and for reinstatement of
the third Petition of Pierce

Pierce puts forth the following:

1. American General Finance, a creditor, never put before the Bankruptcy Court unit 5916, Havenwood Drive, Montgomery, Alabama and it is not due to be foreclosed under lawful circumstances. Nowhere will you find that American General Finance requested nor received lawful authority to lawfully seize or take unit 5916 Havenwood Drive, Montgomery, Alabama.
2. American General Finance Company did not disclose the equity money I have in the property they correctly identified as property of interest. See the entire record.
3. The Bankruptcy Court over looked the fact that lawyer Walker dealt with American General Finance and there was no bar because the plan was to be considered for approval.
4. *The Bankruptcy Court overlooked the fact that Pierce paid into the unconfirmed plan.
5. The Bankruptcy Court over looked the fact that Pierce is entitle to protection under the Bankruptcy laws.
6. The Bankruptcy Court must stay all of its orders since Pierce appealed its decision.
7. The Bankruptcy Court docket office fail to list American General Finance Company in its title of case style and by doing, complicates the lawful understanding as to who the real adversaries are under the circumstances.

*Bankruptcy Judge reopened case but is yet to correct the damage and encroachment done to Pierce resulting for the error and miscarriage of justice. American General Finance Company seeks to take advantage of Pierce.

8. The Bankruptcy Court overlooked the fact that Pierce alleged fraud and did seek in motion form, an evidentiary hearing.

9. The Bankruptcy Court failed to submit the matter to arbitration that was duly requested involving American General Finance.

10. Most importantly, Judge Williams failed to treat the third petition of Pierce as the new case. Recall:

Case Petition number 1. Filed by Pierce.

Case Petition number 2. Filed by Walker the representative for Pierce which the Court and Judge seemed to accept and act upon..

Case Petition number 3. Filed by Pierce which has never been addressed.

11. If Pierce is not allowed to get complete relief then Pierce would have no other remedy but to file federal suit for fraud and wrong doing.

Relief Requested:

Judge Williams is asked to allow Pierce to withdraw the request for dismissal since it is NOW known that Judge Williams was to inform Pierce that such Request for dismissal would be overlooked as to the third filing in favor of 180 day Bar.

Pierce seeks immediate reinstatement of the third petition and for corrected Orders addressing the bankruptcy assets of Pierce including 5916 Havenwood Drive, Montgomery, Alabama and 701 Doris Circle, Montgomery, Alabama.

Grant Pierce an evidentiary hearing involving equity and counterclaims involving disputed accounts of American General Finance Company.

Preside in a manner that advances the purpose and intent of the Bankruptcy laws involving the laws of automatic stay and due process.

Respectfully, 
112 Knollwood, Blvd., Montgomery, Al 36117

Certificate of Service

I hereby certify that I have this day mailed a copy of the above to the following fraud relief motion this 23rd day of March, 2005.

American General Finance Company
P.O. Box 2189, Montgomery, Alabama 36102



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